

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

PCT Application
PCT/JP2002/013657

10/500082

Applicant's or agent's file reference FP-8249PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP02/13657	International filing date (day/month/year) 26 December 2002 (26.12.02)	Priority date (day/month/year) 27 December 2001 (27.12.01)
International Patent Classification (IPC) or national classification and IPC C08J 5/18 // C08L 29:04		
Applicant THE NIPPON SYNTHETIC CHEMICAL INDUSTRY CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 02 July 2003 (02.07.03)	Date of completion of this report 22 October 2003 (22.10.2003)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	7, 8	YES
	Claims	1-6, 9, 10	NO
Inventive step (IS)	Claims		YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations

Document 1: JP 9-324096 A (Dai-Ichi Kogyo Seiyaku Co., Ltd.), 16 December 1997

Document 2: JP 2-151639 A (The Nippon Synthetic Chemical Industry Co., Ltd.), 11 June 1990

Claims 1-6, 9 and 10 lack novelty in the light of document 1 cited in the international search report. Document 1 discloses a water-soluble film with superior low-temperature solubility, which comprises a modified polyvinyl alcohol that has anionic groups and a polyvinyl alcohol that has a saponification level of 70-99mol%. In addition, document 1 (example 1) discloses a film formed from a composition comprising a mixture of 35 parts of a modified polyvinyl alcohol, which has a saponification level of 96.3mol%, and 65 parts of a polyvinyl alcohol, which has a saponification level of 71.1mol%, and indicates that in terms of the rate of dissolution in water, mechanical strength, alkali-resistance, hygroscopy and crack resistance, this film has characteristics that make it suitable as a material to encapsulate chemical products.

Document 1 does not make any disclosures in relation to the storage elastic modulus of the film, however the configuration disclosed in document 1, wherein a film is

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produced from a resin composition comprising two or more types of PVA resin that have different levels of saponification, is the same as one of the methods set forth in the description of this application for producing a film that exhibits the storage elastic modulus characteristic set forth in claim 1, and, like the invention set forth in this application, the obtained film is suitable for use in encapsulating chemical products. Therefore, it is inferred that the film disclosed in document 1 and the film that is the invention set forth in claims 1-10 of this application are the same.

Claims 7 and 8 do not involve an inventive step in the light of document 1 and document 2 cited in the international search report. Document 2 discloses the feature of mixing a plasticizer and a filling agent into the resin composition that constitutes a water-soluble PVA film.